

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

YULIO CERVINO-HERNANDEZ, AND  
ALEXANDER CASTELLANO-BENITEZ,

Defendants.

**4:15CR3114**

**ORDER**

Defendant has moved to continue the pretrial motion deadline, (Filing No. 107), because the defendant needs to consider and decide whether to enter a guilty plea before deciding whether to file pretrial motions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 107), is granted.
- 2) Pretrial motions and briefs shall be filed on or before October 21, 2016.
- 3) Trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and
  - a. The additional time arising as a result of the granting of the motion, the time between today's date and October 21, 2016 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).
  - b. Failing to timely file an objection to this order as provided in the local rules of this court will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

September 20, 2016.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge